

CITY OF STAMFORD

19TH CHARTER REVISION

COMMISSION

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CYNTHIA BOWSER

KAREN CAMPOREALE

SUE HALPERN

FRANCES LANE

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CLEMON WILLIAMS

Thomas Lombardo, Chair
Michael Larobina, Vice Chair
Jackie Pioli, Clerk

MEETING REPORT

Tuesday, May 30, 2023
7:00 p.m.
Meeting Held Remotely

Call to Order - Chair Lombardo called the meeting to order at 7:03 p.m.

Roll Call - In attendance were Chair Lombardo, Vice Chair Larobina, and Commissioners Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, Michelson, Pramberger, and Williams. Commissioners McMullen and Pioli were excused. Also present were Attorneys Mednick and Roberts. Comm. McMullen joined the meeting at 8:54 p.m.

Pledge of Allegiance - Commissioner Camporeale led the Pledge of Allegiance.

Deliberation on Draft Report-

Commissioner Loeb noted that the Commission had received a communication from the Chairs of the Planning Board, the Zoning Board and the Zoning Board of Appeals attached hereto.

Comm. Loeb noted that there were many comments on the additional requirements for developments of 5 or more residential units (proposed section C6-30-005) and whether this would affect as of right uses. It was noted that the phrase "or Site and Architectural Plans and/or Requested Uses" in proposed section C6-30-005 would apply to as of right uses. Many people also commented that five units was too low.

A motion to amend C6-30-005 to change the number of units to twenty or more and delete the language "or Site and Architectural Plans and/or Requested Uses" [as shown below] was made, seconded, and approved by a vote of 12-0-1 (Comms Lombardo, Larobina, Bilicznianski, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, Michelson, Pramberger, and Williams in favor; Comm. Bowser abstaining).

Sec. C6-30-005. Additional Requirements Applicable to Developments Consisting of ~~Five (5)~~ Twenty (20) or More Residential Units

Prior to submitting any application to the Zoning Board for an Amendment to the Zoning Map, or an Amendment to the Zoning Regulations ~~or Site and Architectural Plans and/or Requested Uses~~ for any project which proposes the development of ~~five (5)~~ twenty (20) or more residential units, the property owner or applicant shall engage in neighborhood engagement and outreach. The Zoning Board shall establish standards for the required neighborhood engagement and outreach but such standards shall include (i) written notification of members of the Board of Representatives for the district(s) in which such project is proposed, (ii) posting on the City website, and (iii) placement of a sign

at the Property indicating that a development is proposed at that location and identifying a contact person or website where additional information may be obtained. Such applicants shall document all neighborhood outreach methods and contacts, identify neighborhood reaction and feedback, and report their findings accordingly to the Zoning Board at the time any such application is filed.

Commissioner Loeb noted that many people commented that the requirement for a 2/3 vote for eminent domain in the proposed revisions to C1-50-1(a) is too restrictive.

A motion to amend the 2/3 vote requirement for eminent domain to a majority vote of the entire membership, as shown below, was made, seconded, and FAILED by a vote of 5-6-2 (Comms Lombardo, Larobina, Loeb, Pramberger, and Williams in favor; Comms. Bowser, Camporeale, Halpern, Lane, Martinez, Michelson, Comms. Bilicznianski and Kolenberg abstaining).

Sec. C1-50-1. Condemnation for Municipal Purposes.

(a) **Required Approvals** The City may take any land which has been fixed upon as a site for a building or buildings or addition thereto for municipal purposes, or land fixed upon for any municipal purpose or use, subject to the payment of just compensation therefor to the owner, provided that there shall be prior approval by the Mayor, by ~~the affirmative vote of two-thirds (2/3) a majority~~ of the entire membership of the Planning Board, by ~~the affirmative vote of two-thirds (2/3) a majority~~ of the entire membership of the the Board of Finance, and by ~~the affirmative vote of two-thirds (2/3) a majority~~ of the Board of Representatives.

Commissioner Loeb noted that it was a nearly unanimous view that the proposed changes to C6-40-4, Section C6-40-8. and C6-40-14 prohibiting the consideration of applications more than once in a 24-month period should be changed back to once in a 12-month period.

A motion to amend Sections C6-40-4, Section C6-40-8. and C6-40-14 to change the prohibition of the consideration of applications more than once in a 24-month period to once in an 18-month period was made, seconded, and passed by a vote of 7-6-0 (Comms. Bowser, Camporeale, Halpern, Lane, Larobina, Loeb, and Michelson in favor; Comms. Lombardo, Bilicznianski, Kolenberg, Martinez, Pramberger, and Williams opposed)

Commissioner Loeb noted that many people commented that provisions permitting petitions by 300 or 750 people citywide was controversial.

A motion to send the provisions permitting petitions by 300 or 750 people citywide back to committee was made, seconded, and FAILED 2-11-0 (Comms. Bilicznianski and Martinez in favor; Comms. Lombardo, Larobina, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Michelson, Pramberger, and Williams opposed).

Commissioners discussed the proposal to have a Diversity, Equity, Inclusion and Disability Commission C6-170-1 through C6-170-3. Without objection, the determination was made to change the name of the Diversity, Equity, Inclusion and Disability Commission in Section C6-170-1 to the ADA & Diversity, Equity, and Inclusion Commission (calling it ADA & DEI Commission in the title).

Commissioners discussed the recommendation from the public to have a Mental Health Commission.

A motion to add a Mental Health Commission to the Charter was made, seconded, and approved by a vote of 13-0-1 (Comms Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, Michelson, Pramberger, and Williams in favor; Comm. McMullen abstaining).

A motion to forward the email from Theresa Dell to the Board of Representatives with the recommendation that the BOR review the items in it was made, seconded, and approved by a vote of 13-1-0 (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, and Williams in favor; Comm. Pramberger opposed).

Commissioners discussed the recommendation from the public to have a Climate Change Commission.

A motion to forward the recommendation from the public to add a Commission on Climate Change to the Board of Representatives with the recommendation that the BOR review the recommendation was made, seconded, and approved by a vote of 11-2-1 (Comms. Lombardo, Larobina, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, and Michelson in favor; Comms. Pramberger and Williams opposed; and Comm. Bilicznianski abstaining).

Commissioners discussed comments at the public hearing regarding changes to the Code of Ethics.

A motion to remove the language added to Sec. C6-140-8. Grounds for Discipline, subsection 14 as shown in red “Violation of the Code of Ethics of the City **for actions or conduct seriously affecting the ability to perform job responsibilities**” was made, seconded, and approved by a vote of 14-0-0 (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pramberger, and Williams in favor).

A motion to include a provision in the transmittal letter that the Ethics Board should have professional staff to help them carry out their duties, was made, seconded, and failed by a vote of 5-8-1. (Comms. Kolenberg, Bilicznianski, Camporeale, Lane, and Michelson, in favor; Comms. Lombardo, Larobina, Halpern, Loeb, Martinez, McMullen, Pramberger, and Williams opposed; Comm. Bowser abstaining).

The Commission then proceeded to discuss some of the proposed definitions, as follows:

Does the term authorities belong in the definition of “Board” or “Commission”?

A motion to include the following definition in the Charter (shown in red) was made, seconded, and approved by a vote of 14-0-0 (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pramberger, and Williams in favor).

“Board” or “Commission” means, for the purposes of this Charter and except as otherwise provided by Law, all Boards, agencies, Commissions, authorities or like entities of the City, whether elected or appointed .

A motion to include the following definition in the Charter (shown in red) was made, seconded, and approved by a vote of 14-0-0 (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pramberger, and Williams in favor).

“Board of Representatives” means the legislative body of the municipality, as required by the General Statutes

Does the term “rules and regulations” belong in the definition of “Law”? It was noted that the definition should only refer to State and Federal law.

A motion to amend the proposed definition of Law (as shown below in red) and to ensure that Law is capitalized throughout the Charter was made, seconded, and approved by a vote of 11-2-0 (Comms. Lombardo, Larobina, Bilicznianski, Halpern, Lane, Loeb,

Martinez, McMullen, Michelson, Pramberger, and Williams in favor; Comms. Camporeale, and Kolenberg opposed).

“Law” means, although is not limited to, decisions of courts and administrative bodies, federal or state legislative enactments, ~~rules~~ and regulations ~~and local ordinances and regulations~~.

A motion to approve the remaining definitions proposed by Counsel in the Charter was made and seconded. After discussion, the definition of “Majority Vote of Board of Representatives” was removed. A motion to call the question was made, seconded and approved by a vote of 14-0-0 (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pramberger, and Williams in favor).

A motion to approved the definitions proposed by counsel as amended, as shown below in red, was made, seconded, and approved by a vote of 14-0-0 (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pramberger, and Williams in favor).

“Charter” means the Charter of the City of Stamford .

“Day(s)” means calendar days; unless, otherwise specifically set forth in this Charter; or, as may be otherwise specifically required by the General Statutes. Moreover, where a Day set forth in this Charter falls on a weekend, holiday or day when the City is closed for business, the deadline shall be extended through the close of the next City business day; unless otherwise required by Law.

“Law” means, although is not limited to, decisions of courts and administrative bodies, federal or state legislative enactments and regulations.

“Mayor” means the chief executive officer of the municipality, as required by the General Statutes.

“Meeting” shall have the meaning set forth in C.G.S. §1-200(2), including Meetings by means of electronic equipment, as may be amended from time to time.

“Meeting Notice” or “Hearing Notice” means a Public Notice (as defined in this section or as otherwise set forth by Ordinance) of a regular or special meeting or a hearing which shall:

- a. state the time and place thereof; and,
- b. be published or posted at least once not more than thirty (30) days nor less than three (3) days prior to the meeting or hearing, unless otherwise provided in this Charter.

The City Clerk and other City officials will be responsible for using best efforts to ensure maximum public distribution of notice in order to maximize participation; particularly where a legislative, regulatory or other item may impact particular neighborhoods or portions of the City.

(10) “Newspaper Notice.” Notwithstanding the provisions of Sec. C1-10-4(2), above, newspaper notice may be required with regard to the action on a proposed Ordinance by the Board of Representatives, as set forth in Sec. C2-10-12 of this Charter; and, shall be required in the case of:

- a. adoption of amendment of the Master Plan; or,

- b. approval or disapproval of subdivision proposals by the Planning Board as set forth in Sec. C6-30-9 or Sec. C6-30-15. of this Charter; and,
- c. the amendment of the Zoning Regulations or Map; or,
- d. applications for approval of site and architectural plans; and/or,
- e. requested uses by the Zoning Board as set forth in Sec. C6-40-11 of this Charter.

All Public Notices and Meeting or Hearing Notices shall be posted or published and all Meetings and Public Hearings shall be conducted in strict compliance with Law; in particular the Americans with Disabilities Act, as may be amended from time-to-time.

(11) "Public Hearings" means a publicly noticed meeting or official proceeding held in order to receive testimony from all interested parties, including the general public, on a proposed issue, item or action. Such parties, within the parameters of the rules of the board or commission shall have an opportunity to submit views and data relative to a matter on which a decision of the board or commission is pending. Public hearings shall be required prior to the adoption of Ordinances, Regulations, Master Plan Amendments, amendments to the Zoning Map or amendments to the Zoning Regulations; or, decisions pertaining to contested cases before a board or commission where public participation is required or permitted under Law. Additional public hearing(s) may be permitted by the Chair of the board or commission or may be required by Ordinance.

(12) "Resolution" means an action by the Board of Representatives that (1) expresses the sentiment or intent of the Board; (2) governs the business of the Board; (3) expresses recognition by the Board; or, (4) complies with the specific requirements of the General Statutes with regard to certain legislative enactments. It is a declaratory statement of the Board on a given matter.

(13) "Special Acts" or "Special Laws" means the acts of the General Assembly pertinent to the City.

(14) "State" or "Connecticut" means the State of Connecticut.

(15) "State Constitution" means the Constitution of the State of Connecticut

A motion to approve the draft report as amended by the Commission was made, seconded, and approved by a vote of 14-0-0 (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pramberger, and Williams in favor).

Chair Lombardo adjourned the meeting at 10:22 p.m.

This meeting is available on [video](#).